

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

MA'ALUUM ABDULLAH a/k/a)
TODD COOKS,)
)
 Plaintiff,)
)
 vs.) Case No. CIV-13-97-D
)
 JUSTIN JONES, DOC Director;)
 DEBBIE MORTON, Director's)
 Designee; MICHAEL DUNKLE,)
 Southeast District Supervisor;)
 OFFICER BUSWELL,)
 Correctional Officer; and)
 J. COFER, Lieutenant,)
)
 Defendants.)

SUPPLEMENTAL REPORT AND RECOMMENDATION

Proceeding under 42 U.S.C. § 1983, the Plaintiff has initiated the present action complaining of alleged constitutional violations through prison disciplinary proceedings. Doc. 1. United States District Court Judge Timothy D. DeGiusti referred this matter to the undersigned Magistrate Judge for initial proceedings pursuant to 28 U.S.C. § 636(b)(1)(B), (C).¹

In the Report and Recommendation also entered on April 12, 2013, Doc. 9, the undersigned recommended that this action be transferred to the United States District Court for the Eastern District of Oklahoma. That Report and

¹ The previously entered Report and Recommendation incorrectly stated that Chief District Court Judge Vicki Miles-LaGrange referred this matter to the undersigned. Doc. 9.

Recommendation stated that Plaintiff is currently housed at the Jess Dunn Correctional Center in Taft, Oklahoma. Doc. 9, at 4. On April 1, 2013, however, the Plaintiff relocated to Oklahoma City, Oklahoma. Doc. 8. Plaintiff's relocation does not affect the previously recommended disposition of this action, and for the same reasons stated in the original Report and Recommendation, Doc. 9, the undersigned recommends that the action be transferred to the Eastern District of Oklahoma under 28 U.S.C. § 1404(a).

Recommendation and Notice of Right to Object

For the reasons set forth above and in the previously entered Report and Recommendation, Doc. 9, the undersigned recommends that the Plaintiff's action be transferred to the United States District Court for the Eastern District of Oklahoma. The Plaintiff is advised of his right to file an objection to the Report and Recommendation with the Clerk of this Court by the 6th day of May, 2013, in accordance with 28 U.S.C. § 636 and Local Civil Rule 72.1. The Plaintiff is further advised that failure to make timely objection to the Report and Recommendation waives the right to appellate review of both factual and legal questions contained herein. *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

This Report and Recommendation disposes of all issues referred to the undersigned in the present case.

IT IS SO ORDERED this 12th day of April, 2013.



SUZANNE MITCHELL
UNITED STATES MAGISTRATE JUDGE